

**MINUTES OF THE
REGULAR MEETING OF THE
BOARD OF TRUSTEES
July 20, 2010**

A meeting of the Village of Tolono ("Village") Board of Trustees ("Trustees") was held on Tuesday, July 20, 2009. The following Trustees were present: Mike Golish, Jeff Holt, Jeff Revell and Jim Snodgrass; Trustees Bonner and Foley were absent. Others present were: Attorney Marc Miller, Mayor Plackett, Engineers Greg Cook, Larry Johnson, John McBride, and Clerk Dixie Phillips. Mayor Plackett called the meeting to order at 6:30 p.m.

Public Comments:

There were several comments about the fact that certain areas have had drainage repairs done ahead of those that have had the problem for years. The parties were advised that the Village is attempting to do the most sever problems first and will get them all fixed as soon as possible. It was also decided that Public Works Supervisor, Russell Curry, would obtain "donuts" or spray for mosquitoes where water is still standing because of health risks.

Mr. Noel advised the Trustees that he had presented a letter from The Economic Development Group, Inc. requesting payment of \$27,023.83 to Great Plains Land Development LLC Special Account. Mayor Plackett said this matter would be handled later.

Approval of Minutes:

Following a motion made by Trustee Golish and seconded by Trustee Snodgrass, the minutes of the July 6, 2010 and the July 13, 2010 were approved as presented. Mr. Golish will send his notes on the July 13, 2010 meeting as well and they will be attached to the ones approved tonight. There was no official meeting on July 13, 2010 due to a lack of a quorum but notes were taken.

Reports:

Attorney Miller said that he had attempted to contact Ms. Hutchison but had been unable to reach her and finally he left her a detailed message. He has had no word from her or her children. Trustee Holt said that this has been going on for more than six years and that he felt it was time to proceed with an imminent domain action as a tool to fix the problem, not to take the land, after the crops were harvested, and return the land to the satisfaction of Ms. Hutchison and Jeff Little, who farms the ground. Mayor Plackett asked for alternatives from Engineer Johnson. Mr. Johnson said that there are other alternative solutions to the drainage problem but they are much more expensive. Dave Hansen said he agrees with Trustee Holt because he believes that's the most logical solution because the tile is already there to hook onto. Trustee Snodgrass said he did not want to "take" the property but only wanted the right to fix the drainage problem. Attorney Miller advised that there could be a special easement with a specific legal and it would still be considered a farm easement. Mayor Plackett said that he felt the drainage district should be contributing to the cost of this and that to his

knowledge, the Village did not have permission to hook onto the drainage district's tile. Dan Noel suggested that the Village offer some money to the landowner to get the Village a temporary easement to repair the drain tile so the project could possibly be done this year. Trustees Golish and Snodgrass agreed. However, all Trustees agreed that if an easement is not procured, then the only alternative would be to file an imminent domain action. The parties have 45 days from the time Attorney Miler sends the letter to the landowner before the Village takes further action. A straw-vote was taken and most Trustees agreed that action needed to be taken even if it involved an imminent domain action. However, all Trustees want to make sure all other easements are in order prior to their next meeting. At the next meeting, a dollar amount will be decided and a letter sent to the landowner giving her options, including the Village's legal action, and giving her 45 days in which to respond to the Trustees.

Old Business:

Engineer Johnson advised that he had met with Damian Donberger and that his floor is several inches lower than the alley or anything on the north side of the alley. He gave several ways to resolve the issue: (1) Mr. Donberger could raise his floor; (2) a larger drain pipe could be installed but that's really not feasible, and/or (3) the Village could convert the parking lot to a detention pond or perhaps a park. Trustee Holt suggested TIF money could be used to lower the alley with a "V" to drain better. The engineers will get figures for that solution and report back to the Trustees.

Mr. Johnson also said that to increase revenue for Tolono, it could have a cell phone tax which is normally around 6% of a party's cell phone bill, sent to the Village. He also said that a utility tax, which is a maximum of 5%, could also be collected and sent to the Village. These solutions will be discussed at a later meeting.

Engineer Cook suggested that the Village obtain an updated storm sewer map because the last one is dated 1995 and several things have changed since then. This will allow all interested parties to be able to see what is what and to proceed with prioritized projects. The engineers will discuss with DJ Stewart to get his input for the map. The Trustees gave them preliminary authority to begin the project.

Following a discussion on the 2010/2011 appropriation, a motion was made by Trustee Golish and seconded by Trustee Snodgrass to approve the Annual Appropriation Ordinance for 2010/2011, and roll call was taken:

Steve Bonner – Absent

Vickie Foley – Absent

Mike Golish – yes

Jeff Holt – Yes, with the following provision: "I support the entire appropriation except the expenditures that support the proposed overpass and except for that portion related to the Police Department which is insufficient to fund 24 hour/7day a week coverage."

Jeff Revell – yes

Jim Snodgrass – yes

The motion carried and Ordinance No. 7 was approved.

New Business:

Mayor Plackett advised the Trustees that Lu & Denny's would be celebrating their 50th year in business and that BEST was presenting them with a plaque. He asked if there was something the Village could do and it was decided a Mayoral Proclamation would be issued.

Clerk Phillips read Trustee Bonner's resignation letter. Trustee Snodgrass moved to accept it, seconded by Trustee Revell, motion passed. The resignation is effective immediately.

A new application for a liquor license was discussed but no action taken. The establishment may be in violation because of its proximity to a church.

There being no further business to discuss, Trustee Golish made a motion to adjourn the meeting, seconded by Trustee Revell. The meeting adjourned at 9:56 p.m.

Respectfully submitted,

Dixie L. Phillips, Clerk